

APPELLATE JURISDICTION.

The paper read by Mr. E. R. Cameron, K.C., registrar of the Supreme Court of Canada on this subject was a valuable addition to its literature, exhibiting much research and being particularly interesting in reference to historical incidents connected with the Supreme Court, its scope and intended usefulness. We make the following extracts:—

“What I have said perhaps may reasonably be considered an introduction to this important subject. I have attempted to shew that in principle three appeals, namely, to the Divisional Court, the Court of Appeal, and the Supreme Court are not in conflict with the procedure finally adopted in England after many centuries’ experience with appellate courts, and which appears to have resulted in a consensus of opinion amongst the Law Lords, perhaps a body the most competent in the world to judge, that every additional appellate tribunal has better opportunities of pronouncing a correct judgment than any or all of the intermediate tribunals, by reason of the fact that the judges have for their assistance the reasons for judgment of all the judges of the courts below, and after the fullest argument of counsel.”

In speaking of the desirability of uniformity in the conditions for appeals to the Supreme Court he said:—

“What is the condition now? Whereas in Quebec the amount required to give jurisdiction to the Supreme Court is \$2,000, in Ontario it is \$1,000. In Quebec, in real property actions, it is only where title to lands is involved an appeal lies, whereas in Ontario, it is title to real estate or some interest therein. In Ontario an appeal lies if the matter in dispute is a patent. Not so in Quebec. In Quebec there is an appeal if the matter in controversy relates to any fee of office, duty, rent, revenue, or any sum of money payable to His Majesty, while in Ontario it is where the matter in question relates to the taking of any annual or other rent, customary or other duty or fee. The difference in phraseology which is wholly unnecessary, leaves it doubtful how far decisions of the Supreme